

Translation

PATENT COOPERATION TREATY

PCT/JP2003/007817



PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference M822-PCT	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/JP2003/007817	International filing date (day/month/year) 19 June 2003 (19.06.2003)	Priority date (day/month/year) 21 June 2002 (21.06.2002)
International Patent Classification (IPC) or national classification and IPC D04B 1/18, D06C 23/04, A41D 7/00, 13/00, 31/00		
Applicant ASAHI KASEI KABUSHIKI KAISHA		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 3 sheets, including this cover sheet.

☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of _____ sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 10 July 2003 (10.07.2003)	Date of completion of this report 10 March 2004 (10.03.2004)
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/JP2003/007817

I. Basis of the report

1. With regard to the elements of the international application:*

- ☒ the international application as originally filed
- ☐ the description:
 pages _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☐ the claims:
 pages _____, as originally filed
 pages _____, as amended (together with any statement under Article 19
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☐ the drawings:
 pages _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☐ the sequence listing part of the description:
 pages _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/JP03/07817

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	3-6, 8, 9	YES
	Claims	1, 2, 7, 10-12	NO
Inventive step (IS)	Claims	5, 6	YES
	Claims	1-4, 7-12	NO
Industrial applicability (IA)	Claims	1-12	YES
	Claims		NO

2. Citations and explanations

[List of documents]

Document 1: JP 10-298854 A (Toray Industries, Inc.), November 10, 1998

Document 2: JP 7-279038 A (Asahi Chemical Industry Co., Ltd.), October 24, 1995

[References]

Claims 1, 2, 7 and 10-12

Embodiment 1 of document 1 describes a knitted fabric for a bathing suit wherein the maximum projected part width is 1.13 mm, the projected part height is 0.56mm (in case the projected part maximum width is 1.13 mm, the height of the projected part is at least 50% of the projected part width) and the area ratio of the projected parts is 43.8%. While cited document 1 does not describe compressibility of a minute surface, the specification of this application states that it is preferable that the area of the projected parts should be less than 50% of the area of cloth in order to increase compressibility, and that to effectively cause deformation by pressure, it is preferable that the height of the projected parts be 30-300% of the width of the projected parts. Therefore, it is found that there is a high probability that in the invention described in document 1, for the compressibility of the minute surface is between 8 to 90%.

Claims 3 and 4

The example 3 of document 1 describes that the projected parts are formed having waviness, and it is obvious for a person skilled in the art to make the surface of protrusions and recesses wavy when forming them, and setting the cycle thereof so that resistance is reduced is a matter that a person skilled in the art to set up as appropriate.

Claims 5 and 6

None of the documents shown in the ISR describes nor suggests having the minute protrusions and recesses at the right angles to the projected parts.

Claim 8

Embodiment 2 of document 1 describes knitting a jacquard fabric, and when forming the surface of protrusions and recesses such as in embodiment 1, it would be obvious for a person skilled in the art to knit a jacquard fabric.

Claim 9

A bathing suit for racing wherein the cloth surface is resin processed is a well known art, as can be seen from the descriptions in document 2.